

In the  
**Indiana Supreme Court**



IN THE MATTER OF THE  
APPROVAL OF LOCAL RULES  
FOR MADISON COUNTY

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Case No. 48S00-1402-MS- 99

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Madison Circuit Court request the approval of an amended local rule for special judge selection in accordance with Ind. Criminal Rule 13. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Madison Circuit Court, this Court finds that the proposed rule amendment, LR48-CR2.2-13 complies with the requirements of Ind. Criminal Rule 13, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Madison Circuit Court Local Rule, LR48-CR2.2-13, set forth as an attachment to this Order, is approved effective February 1, 2014, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Dennis D. Carroll, Madison Circuit Court 6, 16 East Ninth Street, Anderson, IN 46016-1574; to the Hon. Thomas L. Clem, Madison Circuit Court 5, 16 East Ninth Street, Anderson, IN 46016-1576; to the Hon. David A. Happe, Madison Circuit Court 4, 16 East Ninth Street, Anderson, IN 46016-1576; to the Hon. Thomas Newman, Jr., Madison Circuit Court 3, 16 East Ninth Street, Anderson, IN 46016-1572; to the Hon. G. George Pancol, Madison Circuit Court 2, 16 East Ninth Street, Anderson, IN 46016-1579; to the Hon. Angela Warner Sims, Madison Circuit Court 1, 16 East Ninth Street, Box 27, Anderson, IN 46016-1575; to the Clerk of the Madison Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Madison Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Court, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, on February 14, 2014.

A handwritten signature in black ink, appearing to read "Brent E. Dickson", written over a horizontal line.

Brent E. Dickson  
Chief Justice of Indiana

## **LR48-CR2.2-13: CRIMINAL DOCKETS (ASSIGNMENT)**

### **SECTION I.**

All felonies and misdemeanors filed in the Madison Circuit Court shall be assigned and docketed in accordance with this Rule.

Charges shall be filed and assigned pursuant to Section II, if applicable. If Section II is not applicable, charges shall be filed and assigned in accordance with Section III.

Cases with multiple defendants or with co-defendants shall be considered one case for filing purposes and shall be assigned to a single court, although each defendant may be given a separate cause number.

### **SECTION II.**

If jurisdiction exists in said Court, new felony and misdemeanor charges shall be filed in the Court where other charges are pending against the defendant or where the defendant is on probation or otherwise under supervision.

### **SECTION III.**

Capital cases, life without parole cases, Murder cases, Class A felonies, Class B felonies and Class C felonies shall be randomly filed in Circuit Court 3, Circuit Court 4, and Circuit Court 6. Class D felonies and misdemeanors shall be randomly filed in Circuit Court 1 (50%) and Circuit Court 5 (50%).

### **SECTION IV.**

When a case requires a change of Judge, the Clerk shall randomly select a new Judge from the remaining judges exercising comparable jurisdiction. The Clerk shall so notify the new Judge of the appointment as Special Judge. If a selected Special Judge is unable to accept jurisdiction due to conflict of interest, or the Special Judge is later disqualified, the Clerk shall select a successor Special Judge at random from the remaining Judges of the Circuit Court exercising criminal jurisdiction. In the event the Clerk cannot select a special judge from the Judges of the Circuit Court, then the Clerk shall select on a rotating basis a special judge from a list of judges from the following counties:

Grant  
Delaware  
Henry  
Hancock  
Hamilton  
Tipton

In the event no judge is available for assignment or reassignment of a criminal case, such case shall be certified to the Indiana Supreme Court for appointment of a special judge. In the event the presiding judge in a criminal case concludes that the unique circumstances presented in such proceeding require appointment of a special judge, the presiding judge may request that the Indiana Supreme Court make such an appointment.

*(Effective February 1, 2014)*